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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/579,965
Filing Date	05/26/2000
First Named Inventor	Hadi Partovi
Art Unit	2145
Examiner Name	Adnan M. Mirza
Total Number of Pages in This Submission: 18	**Attorney Docket Number** TEL-00-001-3P

ENCLOSURES *(check all that apply)*

- ☒ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment / Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Terminal Disclaimer
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Statement Under 37 CFR 3.73(b)
- ☐ CD, Number of CD(s) _____
- ☐ Request for Refund

Remarks

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☒ Appeal Communication to TC *(Appeal Notice, Brief, Reply Brief)*
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) *(please identify below):*

Return Receipt Postcard

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm Name	BEVER, HOFFMAN & HARMS, LLP	Customer Number	24488
Signature			
Printed Name	Jeanette S. Harms		
Date	February 22, 2005	Reg. No.	35,537

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 22, 2005.

Signature	Rebecca A. Baumann		
Typed or printed name	Rebecca A. Baumann	Date	February 22, 2005

PTO/SB/17 (12-04)
Approved for use through 07/31/2006. OMV 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Effective on 12/08/2004
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818)

FEE TRANSMITTAL For FY 2005

☒ Applicant claims small entity status. See 37 C.F.R. § 1.27

TOTAL AMOUNT OF PAYMENT | **($) 250.00**

Complete if Known	
Application Number	09/579,965
Filing Date	05/26/2000
First Named Inventor	Hadi Partovi
Examiner Name	Adnan M. Mirza
Art Unit	2145
Attorney Docket No	TEL-00-001-3P

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):_____

☒ Deposit Account Deposit Account Number: **50-0574** Deposit Account Name: **Bever, Hoffman & Harms, LLP**

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	**Fees Paid ($)**
Utility	300	150	500	250	200	100	$
Design	200	100	100	50	130	65	$
Plant	200	100	300	150	160	80	$
Reissue	300	150	500	250	600	300	$
Provisional	200	100	0	0	0	100	$

2. EXCESS CLAIM FEES

Fee Description	Fee($)	Small Entity Fee($)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee($)	**Fee Paid ($)**	Multiple Dependent Claims		
	- 20 or HP =	x	=		Fee($)	Fee($)

HP = highest number of total claims paid for, if great than 20

Indep. Claims	Extra Claims	Fee($)	**Fee Paid ($)**
	- 3 or HP =	x	=

HP = highest number of total claims paid for, if great than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 USC 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee($)	Fee Paid ($)
- 100 =	5- = (round up to a whole number)	x	=	

4. OTHER FEE(S)

	Fee Paid ($)
Non-English Specification - $130 fee (no small entity discount)	
Other: **Supplemental Appeal Brief**	**$250.00**

SUBMITTED BY

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Name (Print/Type) Jeanette S. Harms		Date:	February 22, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants: Hadi Partovi et al.

Assignee: Tellme Networks, Inc.

Title: Method Of Updating An Electronic Phonebook Over Electronic Communication Networks

Serial No.: 09/579,965 File Date: May 26, 2000

Examiner: Adnan M. Mirza Art Unit: 2145

Docket No.: TEL-00-001-3P

Date February 22, 2005

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SUPPLEMENTAL APPEAL BRIEF

Sir:

This Supplemental Appeal Brief, filed in triplicate, is in support of the Appeal Brief dated September 10, 2004.

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INDEX

I. INCORPORATION

This Supplemental Appeal Brief incorporates by reference the entire original Appeal Brief filed on September 10, 2004. All previously raised issues and/or arguments are still considered to be relevant.

II. NEW ISSUES

The following new issue is presented to the Board of Appeals for decision:

(A) Whether Claims 1-16 are patentable under 35 U.S.C. 103(a) over U.S. Patent 5,729,599 (Plomondon) and U.S. Patent 5,884,262 (Wise).

III. GROUPING OF THE CLAIMS

Claims 1-9 stand or fall together. Claims 1-9 are directed to a user updating his/her own profile with a new target telephone number and identifier.

Claims 10-16 stand or fall together. Claims 10-16 are directed to adding to a first user's profile using a data set retrieved from a second user's profile.

Therefore, Appellant believes that Claims 1-9 and 10-16 are separately patentable.

IV. ARGUMENTS

A. Claims 1-16 are patentable under 35 U.S.C. 103(a) over U.S. Patent 5,729,599 (Plomondon) and U.S. Patent 5,884,262 (Wise)

Appellants traverse this rejection based on the respective teachings of Plomondon and Wise. A brief overview of Wise was provided in the Appeal Brief dated September 10, 2004. A brief overview of Plomondon is now provided.

Plomondon: Overview

Call forwarding allows a telephone subscriber to forward calls incoming to his/her telephone number to another telephone number. Col. 1, lines 13-15. In contrast to standard call forwarding, remote access call forwarding may be accessed remotely, i.e. it may be accessed from network locations other than the subscriber's telephone. Col. 1, lines 22-28. Plomondon addresses the problem of a user forwarding a subscriber's calls to a routing destination number not desired by the subscriber (e.g. a public/pay telephone). Col. 2, lines 44-50.

Fig. 1 of Plomondon (shown below) illustrates a schematic of the Advanced Intelligent Network (AIN) system architecture for updating subscriber service profiles. Col. 4, line 60-63. In this architecture, a Service Control Point (SCP) 32 includes a service profile for each subscriber. Col. 6, lines 2-4. This profile can include, for example, the status of the service (on/off, active/inactive), the current routing destination telephone number, the subscriber's security code, and a listing of commonly forwarded routing destination numbers unique to the subscriber's telephone number. Col. 6, lines 5-11.

A call to the subscriber interface platform is routed from a service switching point (SSP) 22 to an intelligent peripheral (IP) 30. Col. 6, lines 35-36. IP 30 then sends a message to SCP 32 requesting instructions on how to handle the call. Col. 6, lines 36-37. If the call wants to change a subscriber's routing destination number in the subscriber profile, SCP 32

queries a Line Information Database (LIDB) 28 (via Signal Transfer Points (STP) 26) to retrieve an identifier corresponding to the routing destination number. Col. 6, lines 41-44. The identifier is typically a Service or Equipment (SOE) Indicator (e.g. coin or coinless pay telephone, public or semi-public telephone, cellular, prison, independent payphone providers (IPP), etc.) or other identifier that must be checked before a subscriber's routing destination number is updated. Col. 6, lines 44-47 and 58-62.

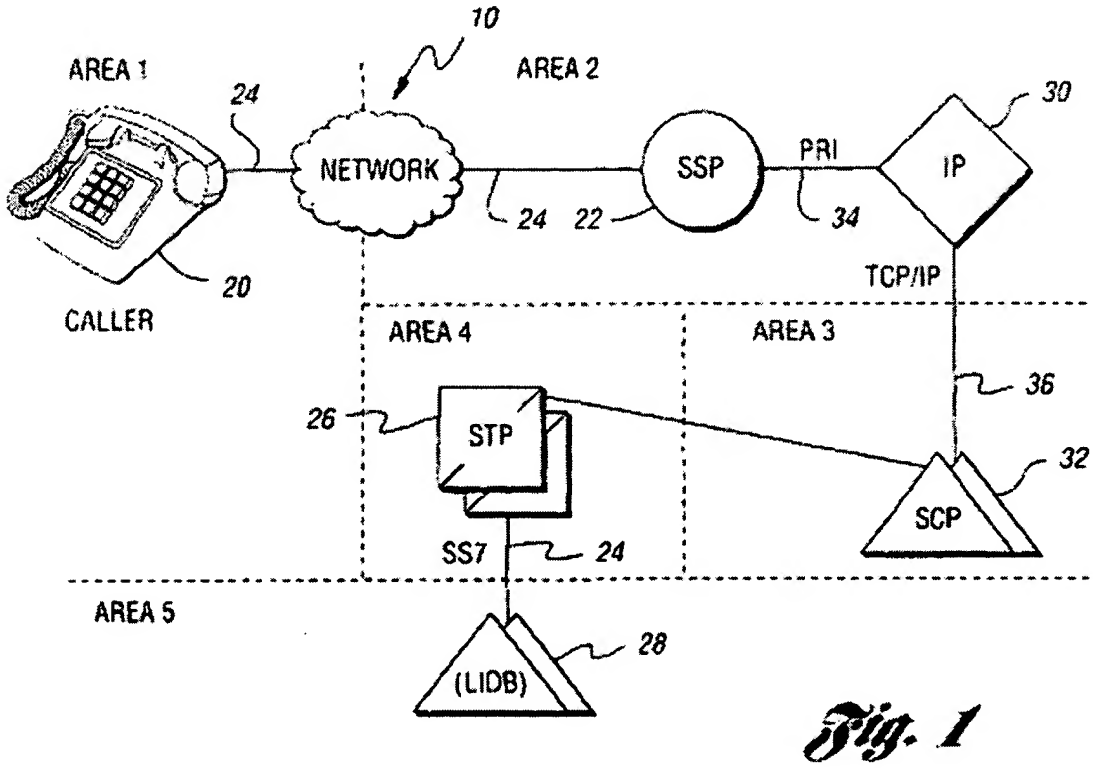

Fig. 1

In one preferred embodiment, Plomondon teaches that when IP 30 sends a message to SCP 32 requesting instructions on how to handle the call, SCP 32 returns a message to IP 30, informing IP 30 to prompt the user for the subscriber's area code and telephone number (collectively, called a directory number). Col. 8, lines 30-33. Assuming that the subscriber's directory

number is authorized for remote access forwarding, SCP 32 instructs IP 30 to prompt the user for the subscriber's security code. Col. 8, lines 40-46. After the user has correctly entered the security code, the user is prompted to enter a desired routing destination number. Col. 9, lines 21-25.

If the desired routing destination number matches a unique routing destination already stored in SCP 32, then system 10 accepts the desired routing destination number and allows the subscriber profile to be updated. Col. 9, lines 48-55. If the desired routing destination number does not exist in the subscriber profile of SCP 32, then a query is sent from SCP 32 to LIDB 28 to retrieve the SOE Indicator corresponding to the desired routing destination number. Col. 10, lines 25-30. If the retrieved SOE Indicator identifies a blocked destination (i.e. pay or public telephone), then SCP 32 does not accept the desired routing destination number and does not update the subscriber's profile. Col. 10, lines 38-42 and 46-47.

Appellants' claim limitations are not taught by the combination of Plomondon and Wise.

Plomondon and Wise fail to disclose or suggest limitations in Claims 1-16, as now explained.

Claim 1 recites a method of updating a user profile implemented by a computer-based interactive voice responsive system. Specifically, Claim 1 recites in part:

> (g) prompting the caller with an option to enter the target telephone number in the user profile when the target telephone number does not correspond to an extant telephone number entry in the user profile; and
>
> (h) in response to selection of the option by the caller, prompting the caller to input an identifier with which to access the target telephone number, receiving the identifier, and

storing the target telephone number and the identifier in the user profile.

Appellants submit that neither Plomondon nor Wise, either individually or in combination, disclose or suggest these limitations.

The Office Action cites col. 9, lines 38-44 of Wise as teaching "prompting the caller with an option to enter the target telephone number in the user profile when the target telephone number does not correspond to an extant telephone number entry in the user profile". This passage is quoted below for convenience.

> FIG. 4 shows an advanced intelligent network implementation that may be used to implement long distance telephone access across a network. A user at telephone 10 could request a long distance connection over a computer network 15 and then input the telephone number of the desired telephone 40 using DTMF signalling or voice commands. Once ISCP 320 receives instructions from the user through

Appellants submit that this passage fails to disclose or suggest a user profile much less providing the user with the option of entering the target telephone number in that user profile.

The Office Action cites col. 3, lines 26-55 of Plomondon as teaching "in response to selection of the option by the caller, prompting the caller to input an identifier with which to access the target telephone number, receiving the identifier, and storing the target telephone number and the identifier in the user profile". This passage is quoted below for convenience.

> In carrying out the above objects, features and advantages of the present invention, there is provided a method for use in a remote access forwarding service adapted for use in an Advanced Intelligent Network (AIN). In accordance with the invention, the method provides steps for

> forwarding a communication call incoming to a subscriber's telephone number to a routing destination number. The steps disclosed herein include the initial provision of storing a plurality of blocked destination identifiers or numbers in a database. The next step is receiving the proposed routing destination number to which the call incoming to the subscriber's telephone number is to be forwarded.
>
> Further, searching of the database is performed to determine that the proposed routing destination number is not a blocked destination, or does not correspond to a blocked destination identifier, in the database. If no match exists (or there is no corresponding identifier), then the proposed routing destination number is accepted by the system, thereby allowing subsequent calls incoming to the subscriber's number to be forwarded to the routing destination number. In this instance, the routing destination number may also be stored in a subscriber profile unique to the subscriber or unique to the subscriber's directory telephone number.
>
> However, if such a match exists, then the proposed routing destination number is not accepted by the system and the incoming calls are directed to a routing destination previously stored in the subscribers service profile, if one exists, or to the subscriber's telephone number.

From this passage, it is unclear to Appellants what is being characterized as the recited identifier. The only elements stored in the subscriber profile (included in SCP 32) of Plomondon are the acceptable routing destination numbers. In contrast, the blocked destination identifiers/numbers are stored in a database (i.e. LIDB 28). Moreover, this passage indicates that only the routing destination number is provided by the user. As recited in Claim 1, the user also provides the recited identifier.

Because Plomondon and Wise, even in combination, fail to render obvious Claim 1, Appellants request reconsideration and withdrawal of the rejection of Claim 1.

Claims 2-9 depend from Claim 1 and therefore are patentable for at least the reasons presented for Claim 1. Based on those reasons, Appellants also request reconsideration and withdrawal of the rejection of Claims 2-9.

For the record, Appellants traverse certain characterizations of Plomondon and Wise cited in the Office Action.

Plomondon in col. 3, lines 27-39 teaches,

> In carrying out the above objects, features and advantages of the present invention, there is provided a method for use in a remote access forwarding service adapted for use in an Advanced Intelligent Network (AIN). In accordance with the invention, the method provides steps for forwarding a communication call incoming to a subscriber's telephone number to a routing destination number. The steps disclosed herein include the initial provision of storing a plurality of blocked destination identifiers or numbers in a database. The next step is receiving the proposed routing destination number to which the call incoming to the subscriber's telephone number is to be forwarded.

Therefore, Plomondon in col. 3, lines 27-39 teaches nothing regarding wherein the telephone identifying information is an ANI (automatic number identification, as defined in the Specification, page 2, line 18) associated with the incoming call, as recited in Claim 2.

Wise at col. 5, lines 45-55 teaches,

> A user can initiate connection of a telephone to the system by taking the telephone off hook and dialing a telephone number. When a telephone 10 is connected to the system 200, the Call Manager 210 software implemented on a computer directs the audio file player 270 to recite a voice prompt, such as "You have reached the Audio Web Connection. Please press 1 for local weather information. Please press 2 for local traffic information. Please press 3 for national sports information." This voice prompt

may be stored as an audio file, a text file, a compressed audio file, or another type of file.

Therefore, Wise at col. 5, lines 47-55 teaches nothing regarding wherein the target telephone destination is a spoken name (as recited in Claim 4), wherein the target telephone destination is a spoken number sequence (as recited in Claim 5), wherein the identifier is a spoken name (as recited in Claim 7), or wherein the identifier is a spoken number sequence (as recited in Claim 8).

Based on the above comments, Appellants request further reconsideration and withdrawal of the rejections of Claims 2, 4, 5 and 7-8.

Claim 10 recites a method of updating a first user profile retrieved from a second user profile. Specifically, Claim 10 recites:

> In a world wide web connected computer system, a method of adding to a first user profile corresponding to a first user a data set retrieved from a second user profile corresponding to a second user in response to a single HTTP request made by the first user, the HTTP request corresponding to a URL provided by the second user to the first user and including a second user identifier corresponding to the second user profile, said method comprising:
>
> (a) receiving the single HTTP request from the first user;
>
> (b) using the second user identifier to selectively retrieve the data set from the second user profile;
>
> (c) determining if the single HTTP request includes a cookie that is associated with the first user profile;
>
> (d) adding the data set to the first user profile in response to determining that the single HTTP request includes the cookie that is associated with the first user profile.

Appellants submit that Plomondon and Wise fail to disclose or suggest the limitations of Claim 10. Appellants traverse the characterizations of these references to reject Claim 10.

Wise in col. 9, lines 13-26, teaches,

> A location profile is similar to a user profile, but instead of depending on a user's personal identity, the location profile depends on a telephone's geographic location. For example, a user who is a traveling salesperson regularly uses the system to check traffic reports from a cellular telephone in the car. A location profile could be triggered by a location ID from the user's cellular telephone and produce an initial prompt that says, "Press 1 for the traffic report for your area. Press 2 for other menu options." For a non-cellular telephone, a caller ID could indicate location information or a location ID. The location ID would be passed to the AIN along with the user's DTMF or voice command signals, and the translated subject word or phrase could include the geographic location corresponding to the location ID.

Therefore, Wise in col. 9, lines 13-26, teaches nothing regarding adding to a first user profile corresponding to a first user a data set retrieved from a second user profile corresponding to a second user in response to a single HTTP request made by the first user, as recited in Claim 10.

Wise in col. 9, lines 27-37 teaches,

> These caller and location IDs could be used to ensure secure access to sensitive networks or sensitive files. For example, a firewall software program may interact with a server IP so that only users with authorized caller IDs are allowed to access a particular network. Other security arrangements, such as password protection or voice recognition, can also be used by the AIN to restrict access to certain files or networks. Additionally, the AIN may interact with a computer network to ensure proper identification and encryption of financially sensitive information, such as credit card numbers or electronic bank account codes.

Therefore, Wise in col. 9, lines 27-37 teaches nothing regarding the HTTP request corresponding to a URL provided by the second user to the first user and including a second user identifier corresponding to the second user profile, as recited in Claim 10.

Wise in col. 9, lines 1-10 teaches,

> memory 330 contains user profiles and location profiles that direct the creation of custom reports. For example, a certain user regularly checks the closing price of a certain stock and the traffic report for the area near the user's house in Silver Spring, Md. before leaving the office. Instead of traversing several system menus and submenus to access the desired information, that user may have a profile that directs the initial prompt from the system to be, "Press 1 for the Bell Atlantic stock closing price and the traffic report for the Silver Spring area. Press 2 for other menu options."

Therefore, Wise in col. 9, lines 1-10 teaches nothing regarding receiving the single HTTP request from the first user and using the second user identifier to selectively retrieve the data set from the second user profile, as recited in Claim 10.

Plomondon in col. 4, lines 7-20 teaches,

> In this system, there is further provided second storage means for storing at least one valid destination number in a subscriber profile unique to the subscriber's telephone number. Additionally, second processing means exists in electrical communication with both the second storage means and the receiving means for searching the subscriber service profile for a valid destination number matching the routing destination number. Moreover, there exists a second forwarding means in electrical communication with the second processing means for forwarding the communication call in response to the routing destination number when the routing destination number matches a valid

> destination number found in the subscribers service profile.

Therefore, Plomondon in col. 4, lines 7-20 teaches nothing regarding determining if the recited single HTTP request includes a cookie that is associated with the first user profile, as recited in Claim 10.

Page 3, col. 0035 is cited to teach adding the data set to the first user profile in response to determining that the single HTTP request includes the cookie that is associated with the first user profile. Neither reference cited uses page numbers or has a column 35. However, Appellants respectfully submit that neither reference teaches this limitation.

Because Wise and Plomondon in combination neither disclose nor suggest the limitations of Claim 10, Appellants request reconsideration and withdrawal of the rejection of Claim 10.

Claims 11-16 depend from Claim 10 and therefore are patentable for at least the reasons presented for Claim 10. Based on at least these reasons, Appellants also request reconsideration and withdrawal of the rejection of Claims 11-16.

For the record, Appellants traverse certain characterizations of Wise and Plomondon cited in the Office Action.

Wise in col. 9, lines 27-37 teaches,

> These caller and location IDs could be used to ensure secure access to sensitive networks or sensitive files. For example, a firewall software program may interact with a server IP so that only users with authorized caller IDs are allowed to access a particular network. Other security arrangements, such as password protection or voice recognition, can also be used by the AIN to restrict access to certain files or networks. Additionally, the AIN may interact with a computer network to ensure proper identification and encryption of financially sensitive

> information, such as credit card numbers or electronic bank account codes.

Therefore, Wise in col. 9, lines 27-37 teaches nothing regarding wherein the second user identifier is a parameter specified in the URL, as recited in Claim 11.

Wise, in col. 9, lines 34-37 teaches,

> Additionally, the AIN may interact with a computer network to ensure proper identification and encryption of financially sensitive information, such as credit card numbers or electronic bank account codes.

Therefore, Wise in col. 9, lines 34-37 fails to teach wherein the data set is a vCard, as recited in Claim 13. (As explained by Appellants in the Specification, page 39, lines 14-20, a vCard is a data format including a name, address information, date and time, and optionally photographs, company logos, sound clips, and geo-positioning information.)

Plomondon in col. 3, lines 27-39 teaches,

> In carrying out the above objects, features and advantages of the present invention, there is provided a method for use in a remote access forwarding service adapted for use in an Advanced Intelligent Network (AIN). In accordance with the invention, the method provides steps for forwarding a communication call incoming to a subscriber's telephone number to a routing destination number. The steps disclosed herein include the initial provision of storing a plurality of blocked destination identifiers or numbers in a database. The next step is receiving the proposed routing destination number to which the call incoming to the subscriber's telephone number is to be forwarded.

Therefore, Plomondon in col. 3, lines 27-39 teaches nothing regarding wherein the telephone identifying information is an ANI (automatic number identification, as defined in the Specification, page 2, line 18), as recited in Claim 14.

Based on the above comments, Appellants request further reconsideration and withdrawal of the rejections of Claims 11, 13, and 14.

IX. CONCLUSION

For the foregoing reasons, it is submitted that the Examiner's rejections of Claims 1-16 are erroneous, and reversal of these rejections is respectfully requested.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 22, 2005.

2/22/2005 Rebecca A. Baumann
Date Signature: Rebecca A. Baumann